

U S District COURT OF THE STATE OF NEW YORK
COUNTY OF ~~Southern~~

DUANE MORRIS ATTN ONIK
1540 Broadway
NEW YORK
NY 10036

Prei Hopewell Junction Associates Lp

- against -

Central Hudson Gas And Electric Corporation

(212) 692-1024

Atty File # Record # 124743 File # 23

STATE OF NEW YORK: COUNTY OF NASSAU: ss

William E Wittenhagen Li#951045 being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of New York:

That on 07/29/08 at 9:49am at 284 South Avenue Poughkeepsie Ny 12601 deponent served the within Summ & Comp In A Cvl Act Rule 7.1 Statement Civil Cover Sheet, INDIVIDUAL PRACTICES OF JUDGE CATON by personally delivering to and leaving with Charles Frer for Central Hudson Gas And Electric Corp a true copy thereof, and that deponent knew the person so served to be the Vice President/Managing Agent and stated (s)he was authorized to accept legal papers for the corporation.

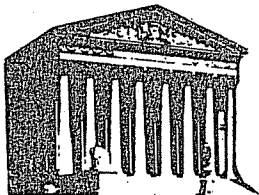
A description of the person served is as follows:
Approx Age: 45 Years Approx Weight: 200 Lbs. Approx Height: 6"4"
Sex: Male Color of Skin: White Color of Hair: Black
Other:

The following does not apply to this affidavit of service:

confirmed the above address of defendant and asked whether defendant was in active military service of the United States or the State of New York in any capacity whatever or is a dependent of anyone in the military and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that defendant is not in the military service of New York State or of the United States as that term is defined in either the State or in Federal statutes.

Sworn to before me this 07/30/08
Jeffrey Wittenberg #41-4906457
Notary Public, State of New York
Nassau County, Commission Expires 08/22/10

William E Wittenhagen Li#951045



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